

Application No. 09/702226
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Amendment

Please replace claim 16 with the following amended claim:

16. (Amended) The device of claim 1, wherein the second layer of the plastically deformable section constrains the first layer of the plastically deformable section.

Please replace claim 18 with the following amended claim:

18. (Amended) The device of claim 16, wherein the combination further comprises a third layer of superelastic material, wherein the second layer of plastically deformable material is sandwiched between the first and third layers of the superelastic material.

REMARKS

This Amendment is in response to the Office Action mailed October 2, 2002, wherein claims 1-3, 16-19 and 22-24 were rejected and claims 4-15, 20-21 and 25-47 were withdrawn from consideration. The specific rejections to the claims are addressed in the following paragraphs, which are provided with paragraph numbers and headings corresponding to the rejections as they were presented in the Office Action.

Election/Restrictions

1.

In a discussion with the Examiner on September 17, 2002 Applicant provisionally elected to prosecute the claims of Group I (claims 1-32). See Paper No. 6. Accordingly, claims 33-47 were withdrawn from further consideration by the Examiner, pursuant to 37 C.F.R. § 1.142(b), as drawn to a non-elected invention. This election was made without traverse in Paper No. 6.

2. & 3.

In addition to this restriction requirement, the Examiner has determined that remaining claims 1-32 are directed to the following patentably distinct species of the claimed invention: